

BOOZER, CARLOS AUSTIN, JR. VS BOOZER, CINDY N

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Case Num (LOCAL): 2014-006108-FC-04

Dockets Retrieved: 122

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Judicial Section: FC19

Date	Book/Page	Docket Entry	Comments
05/01/2015		NOTICE OF HRG SPECIAL APPT	5-11-15 9:30AM
04/30/2015		5 MINUTE MOTION CALENDAR	
04/23/2015		NOTICE OF HEARING-	SPECIAL SET DATED FOR AUGUST 10, 2015 AT 1:30 PM
04/14/2015		NOTICE OF UNAVAILABILITY/ABSENCE	
03/30/2015		NOTICE OF HEARING-	04/30/2015 9:30 AM
03/10/2015		NOTICE OF PRODUCTION	FROM NONPARTY U.S. BANK, N.A. PERSON WITH THE KNOWLEDGE (ATTACHED SUBPOENA)
03/10/2015		NOTICE OF PRODUCTION	FROM NONPARTY ATTACHED SUBPOENA ... U.S. BANK, N.A. CUSTODIAN OF RECORDS
03/10/2015		NOTICE OF PRODUCTION	
03/05/2015		NOTICE OF UNAVAILABILITY/ABSENCE	
03/03/2015		NOTICE OF APPT OF MEDTR&CNFRNCE	ALISON C WEINGER ESQ 5-14-15 9:30AM
02/27/2015		NOTICE OF UNAVAILABILITY/ABSENCE	
02/27/2015		MOTION TO STRIKE	OR DISMISS OR, IN THE ALTERNATIVE, ANSWER TO WIFE'S COUNTER-PETITION.....ETC
02/23/2015		MOTION FOR EXTENSION OF TIME	TO FILE RESPONSE TO COUNTERPETITION ETC
02/19/2015		ORDER SETTING NON-JURY TRIAL	08/24/15-08/26/15 @ 9:30 AM
02/19/2015		ORDER:	ON HUSBAND'S MOTION FOR COMMISSION TAKE OUT OF STATE DEPOSITIONS IN THE STATE OF MINNESOTA
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10/09/2014	NOTICE OF HEARING-	11/6/2014 SECOND AMENDED RE-NOTICE OF HEARING
10/08/2014	NOTICE OF HEARING-	AMENDED, 11-06-14 9:30AM
10/08/2014	NOTICE OF UNAVAILABILITY/ABSENCE	
10/06/2014	MOTION FOR PROTECTIVE ORDER	
10/06/2014	OBJECTION:	PETITIONER'S TO ISSUANCE OF THIRD PARTY SUBPOENA
10/06/2014	NOTICE OF HEARING-	11-6-14 9:30AM
10/06/2014	TEXT	CERTIFICATE OF COUNSEL PURSUANT TO 1.351(C) FLA.R.C.P. (WITH ATTACHMENTS)
09/24/2014	OBJECTION:	HUSBAND'S TO WIFE'S NOTICE OF TRIAL
09/23/2014	NOTICE:	CERTIFICATE OF INTENT TO SUBPOENA FOR PRODUCTION OF DOC W/O DEPO JP MORGAN CHASE BANK DATED FOR 11-13-2014 10:00 A.M.
09/23/2014	MOTION TO COMPEL	WIFE'S DEPO DATES FOR HUSBAND & AMESHKA SMITH
09/23/2014	NOTICE OF HEARING-	FOR DEPODATED FOR 10-09-2014 9:30 A.M.
09/22/2014	NOTICE OF TRIAL (CASE AT ISSUE)	
09/08/2014	STIPULATION AND ORDER SUBSTITUTING COUNSEL	PARTIES: BOOZER CINDY N
09/08/2014	LETTER OF CORRESPONDENCE	FROM RAQUEL A. RODRIGUEZ, ESQ. TO THE COURT
09/02/2014	NOTICE OF APPEARANCE	CINDY BOOZER AND DESIGNATION OF EMAIL ADDRESS
08/29/2014	STIPULATION	FOR SUBSTITUTION OF COUNSEL (WITH UNSIGNED ORDER)
07/15/2014	MOTION FOR EXTENSION OF TIME	
07/01/2014	NOTICE:	OF POSTPONING VIDEO DEPOSITION DUECES TECUM ON JULY , 2014 @ 10:00 A.M.
06/30/2014	FINANCIAL AFFIDAVIT	FINANCIAL AFFIDAVIT
06/27/2014	NOTICE:	OF COMPLIANCE
06/25/2014	CERTIFICATE OF COMPLIANCE	WITH MANDATORY DISCLOSURE
	NOTICE OF CONFIDENTIAL INFORMATION	

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO. 2014-006108-PC-04
FAMILY DIVISION

CARLOS AUSTIN BOOZER, JR.,

Petitioner/Husband,
and

CINDY N. BOOZER,

Respondent/Wife.

NOTICE OF FILING

The Petitioner/Husband, CARLOS AUSTIN BOOZER, JR., by and through his undersigned attorney, hereby files an Amended Petition for Dissolution of Marriage.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via E Mail to Terry L. Fogel, Esquire, Fogel, Rubin & Fogel, P.A., 44 West Flagler Street, Suite 350, Miami, FL 33130 on this 18 day of April, 2014.

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SARAH WILLIS, ESQ.

Florida Bar No.: 22990

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
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IN RE: THE MARRIAGE OF

CASE NO. 2014-006108-FC-04
FAMILY DIVISION

CARLOS AUSTIN BOOZER, JR.,

Petitioner/Husband,
and

CINDY N. BOOZER,

Respondent/Wife.

AMENDED PETITION FOR DISSOLUTION OF MARRIAGE

COMES NOW, the Petitioner/Husband, CARLOS AUSTIN BOOZER, JR., by and through the undersigned counsel and hereby files his Petition for Dissolution of Marriage and Request for Related Relief, and states as follows:

1. Action for Dissolution – This is an action for Dissolution of Marriage between the Husband CARLOS AUSTIN BOOZER, JR., and the Wife, CINDY N. BOOZER.
2. Jurisdiction – The Husband has been a resident of the State of Florida for more than six (6) months immediately preceding the filing of this Petition.
3. Marriage – The Parties were married to each other on March 17, 2012 in Cook County, Illinois. The Parties were previously married on August 10, 2002 and divorced pursuant to a Final Judgment of Dissolution dated October 14, 2010.
4. Irretrievably Broken – The marriage of the parties is irretrievably broken.
5. Military Service – Both parties are over the age of 18, and neither is, nor has been within a 30 day period immediately prior to this date, a member of the military service of the United States, has not been ordered to report for military service or for induction into the military

service of the United States, as defined by the Service member's Civil Relief Act as amended.

6. **Children of the Marriage** — Three children were born of the parties during the first marriage, to wit: C. A. B. (date of birth: 2006), C. N. B. (date of birth: 2007) and C. A. B. (date of birth: 2007). No additional children are contemplated, and the Wife is not pregnant.
7. **Shared Parental Responsibility and Timesharing** — Both parties are fit and proper persons to have Shared Parent Responsibility of and for their minor children, and it is in the children's best interest that the Husband and Wife share that responsibility. The Husband is a professional athlete playing in the National Basketball Association (NBA). The Husband is seeking frequent and liberal timesharing and as equal between he and his Wife as possible given his schedule and the best interest of the children.
8. **Child Support** - Child support shall be determined according to the Florida Child Support Guidelines and related Florida law, including *Finley v. Scott*, 707 So.2d 1112 (Fla. 1998) and its progeny.
9. **Marital Residence** — The marital residence in which the parties' reside as Husband and Wife is located at 7450 SW 100 Street, Pinecrest, Florida 33156. The parties' have been coexisting in a reasonable amicable way and should continue on a temporary basis. This residence is titled in the Husband's sole name and is the Husband's Non-Marital property.
10. **Equitable Distribution** — The Court should determine marital and non-marital assets. If there are marital assets and liabilities, to which entitlement has not already been determined,

the same should be dealt with and distributed in accordance with Fla. Stat. §61.075. The Husband claims entitlement to an unequal distribution of marital property in his favor based on the factors set forth in subsection (1) of Section 61.075 and the historical treatment and status of certain marital and non-marital assets.

In the dissolution of their first marriage, the parties entered into a settlement agreement that required certain payments which, based upon the confidentiality of the agreement, will be presented to the Court as appropriate. Certain actions required of the parties terminated upon the Wife's remarriage.

11. Attorney's Fees and Costs – The Husband seeks to have the Wife pay for his attorney's fees and suit costs to the extent that she causes unnecessary or vexatious litigation.

WHEREFORE, therefore the Petitioner prays:

- a) For a dissolution of marriage as it is irretrievably broken;
- b) Parties' have shared parental responsibilities;
- c) Each Party to have frequent and liberal timesharing and as equal between he and his Wife as possible given the parties' respective schedules and the best interest of the children;
- d) Child support in accordance with Fla. Stat. §61.30 and applicable State law, *Finley v. Scott* and its progeny;
- e) Equitable distribution in accordance with Fla. Stat. §61.075;
- f) Unequal distribution of marital property in favor of the Husband as deemed appropriate based on the factors set forth in subsection (1) of Section 61.075;

- g) The parties' continue to share the marital residence on a temporary basis;
- h) Temporary and permanent attorney's fees and costs to the extent that the Wife causes unnecessary or vexatious litigation; and
- i) Order such other relief as the Court deems just and proper.

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